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AUG 23 2006

OFFICE OF PETITIONS

In re Application of Bollay :
Application No. 09/276,598 : Decision on Petition
Filing Date: March 25, 1999 :
Attorney Docket No. D-1507 :

This is a decision on the petition under 37 CFR 1.181, filed August 23, 2004, and supplemented April 8, 2005, to withdraw the holding of abandonment.

The petition is **granted**.

Facts:

A proper request to change the address of record was filed February 7, 2003. The Office failed to change the address of record.

Papers mailed July 1, 2003, notified petitioner of deficiencies within the brief and provided petitioner with the longer of 30 days or 1 month to file a corrected brief. The papers were mailed to the old, incorrect address. Petitioner failed to receive the papers mailed July 1, 2003.

A Notice of Abandonment was mailed March 22, 2004. The Notice of Abandonment was mailed to the old, incorrect address.

Discussion:

Petitioner has demonstrated non-receipt of the papers mailed July 1, 2003.

The Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

Technology Center Art Unit 3624 will be informed of the instant decision and the examiner will consider the corrected brief and other papers filed April 8, 2005, in due course.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

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